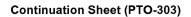
Advisory Action Before the Filing of an Appeal Brief

| Application No. | Applicant(s) | | |
|-----------------|--------------------|--|--|
| 10/509,675 | DEL SOLDATO, PIERO | | |
| Examiner | Art Unit | | |
| | Art Ollit | | |

| | Jonathan S. Lau | 1623 | | |
|---|--|---|---|--|
| The MAILING DATE of this communication appe | ars on the cover sheet with the c | orrespondence address | | |
| THE REPLY FILED 02 November 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. | | | | |
| 1. The reply was filed after a final rejection, but prior to or on application, applicant must timely file one of the following rapplication in condition for allowance; (2) a Notice of Appe for Continued Examination (RCE) in compliance with 37 C periods: | the same day as filing a Notice of A eplies: (1) an amendment, affidavit al (with appeal fee) in compliance | Appeal. To avoid abandonment of this c, or other evidence, which places the with 37 CFR 41.31; or (3) a Request |) | |
| a) The period for reply expires <u>3</u> months from the mailing date | of the final rejection. | | | |
| b) The period for reply expires on: (1) the mailing date of this Adno event, however, will the statutory period for reply expire la Examiner Note: If box 1 is checked, check either box (a) or (I MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f | ter than SIX MONTHS from the mailing b). ONLY CHECK BOX (b) WHEN THE). | g date of the final rejection. FIRST REPLY WAS FILED WITHIN TWO | | |
| Extensions of time may be obtained under 37 CFR 1.136(a). The date of have been filed is the date for purposes of determining the period of extremely an extra transfer of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL | ension and the corresponding amount of the corresponding a | of the fee. The appropriate extension fee nally set in the final Office action; or (2) as | S | |
| The Notice of Appeal was filed on A brief in compl filing the Notice of Appeal (37 CFR 41.37(a)), or any exter Notice of Appeal has been filed, any reply must be filed with the complex of Appeal has been filed. | sion thereof (37 CFR 41.37(e)), to | avoid dismissal of the appeal. Since | | |
| AMENDMENTS | | | | |
| 3. The proposed amendment(s) filed after a final rejection, be (a) They raise new issues that would require further cor (b) They raise the issue of new matter (see NOTE below | sideration and/or search (see NOT v); | E below); | | |
| (c) ☐ They are not deemed to place the application in bett appeal; and/or | er form for appear by materially rec | ducing of simplifying the issues for | | |
| (d) They present additional claims without canceling a converse NOTE: (See 37 CFR 1.116 and 41.33(a)). | orresponding number of finally reje | cted claims. | | |
| 4. \square The amendments are not in compliance with 37 CFR 1.12 | | mpliant Amendment (PTOL-324). | | |
| 5. 🔲 Applicant's reply has overcome the following rejection(s): | | | | |
| 6. Newly proposed or amended claim(s) would be all non-allowable claim(s). | | _ | | |
| 7. For purposes of appeal, the proposed amendment(s): a) [how the new or amended claims would be rejected is prov The status of the claim(s) is (or will be) as follows: Claim(s) allowed: none. | | be entered and an explanation of | | |
| Claim(s) objected to: <u>none</u> . Claim(s) rejected: <u>1,3,4 and 7-9</u> . | | | | |
| Claim(s) withdrawn from consideration: <u>2.5 and 6</u> . AFFIDAVIT OR OTHER EVIDENCE | | | | |
| The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e). | | | | |
| 9. The affidavit or other evidence filed after the date of filing a entered because the affidavit or other evidence failed to or showing a good and sufficient reasons why it is necessary | vercome <u>all</u> rejections under appea and was not earlier presented. Se | l and/or appellant fails to provide a ee 37 CFR 41.33(d)(1). | | |
| 10. ☐ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER | | • | | |
| 11. The request for reconsideration has been considered but see continuation sheet. | | condition for allowance because: | | |
| 12. ☐ Note the attached Information <i>Disclosure Statement</i>(s). (13. ☐ Other: | PTO/SB/08) Paper No(s) | | | |
| /Shaojia Anna Jiang/ Supervisory Patent Examiner, Art Unit 1623 | | | | |



Application No.